



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

August 14, 2020

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

MR. NATHAN EHRESMAN  
ALBAUGH, LLC, AGENT FOR  
ALBAUGH, LLC  
2906D N. PATTERSON ST., PO Box 2127  
VALDOSTA, GA 31604-2127

Dear Mr. Ehresman:

Subject: Transfer of Pesticide Registrations and Data From Company Number **279** to  
Company Number **42750**

Pursuant to your request in your letter and transfer agreement of August 05, 2020, we have approved the transfer of the following registrations from FMC CORPORATION, company number 279 to ALBAUGH, LLC, company number 42750.

The effective date of these changes is the date of this letter.

Registered Products	Old EPA Reg. No.	New EPA Reg. No.
KOVERALL FUNGICIDE	279-3580	42750-389

You should indicate the new company designation, new EPA Registration Number and new Establishment Number (if it has changed) on the labeling at the next printing which should occur no later than 18 months after the effective date of this transfer. After 18 months, any product released for shipment must bear the new Registration Number and Establishment Number. If you intend to use the labels which currently appear on the transferor's product after the effective date of the transfer, but within the 18 month grace period, you must maintain complete and accurate records which identify by batch number, lot number, or other suitable description the quantities of such product bearing the transferor's label. Each container or package bearing the transferor's label which is released after the effective date of product registration transfer, must be clearly and accurately marked with the batch number, lot number or other descriptive designation used to identify the product in your records.

Supplemental distribution agreements of registered products do not transfer with the Section 3 registration. It is your responsibility as the registrant to notify any and all supplemental distributors of the transferred product(s) of this transfer agreement. If you wish to enter into supplemental distribution agreements of your product(s) under this new registration, the form "Notice of Supplemental Distribution of a Registered Pesticide Product," EPA Form 8570-5, must be submitted to the Agency for each supplemental distributorship.

You are required to contact your local EPA Regional Office to determine what effect this transfer of pesticide registrations has on the pesticide production establishment registration.

It will not be necessary to submit labeling for review if the only changes are in the company designation and the EPA Registration Number. Other changes in the product and/or labeling may require EPA review and approval prior to distribution or sale of the product containing the new registration number. In any correspondence on these products always refer to the U.S. EPA Registration Number listed above.

The transferred registration will have the same status under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, 7 USC 136 et seq., as it had prior to the approval of this transfer.

When registrations are transferred from one company to a second company, all restrictions, data requirements, conditions (suspensions), and deadlines existing on the registrations are transferred with the registrations. The new company is responsible for adhering to or complying with all such restrictions, etc. on the acquired products.

Regarding deadlines, the transferee company is responsible for submitting all required data according to the schedules already established for the acquired products. Failure to do so will result in the issuance of a Notice of Intent to Suspend. Requests from transferee companies for additional time to submit, because they acquired the registration(s) after the 3(c)(2)(B) request was issued will not be granted. If a transferee company has other valid reasons for delays in the testing which were clearly outside of their control, then such requests for time extensions will be considered in accordance with the established procedures. Transfers occurring while a 3(c)(2)(B) request is being issued or during the 90-day response time are subject to the same conditions expressed above.

Registration is in no way to be construed as an endorsement or approval of these products by the Agency. In order to protect health and the environment, the Administrator, on his motion, may at any time suspend or cancel the registration of a pesticide in accordance with FIFRA.


Furthermore, the transfer of the subject registrations is approved under the condition that the annual maintenance fee obligation has been fully satisfied. The annual maintenance fee is based solely on the total number of active section 3 and section 24(c) registrations held by the transferor. If the annual maintenance fee has not been fully satisfied, the transferee and transferor will be notified to comply within a specified time period, or the affected registrations may be canceled.

The Agency acknowledges it has received a request for data transfer dated August 05, 2020 to transfer data ownership from the transferor to the transferee. The data transfer is effective the date of this letter. After this date **ALBAUGH, LLC** will be considered the data owner. This action will not automatically reflect on the Data Submitters List. If you want to be added to the Data Submitters List, you must submit a request to:

Document Processing Desk (DSL)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

By copy of this letter we are informing the transferor of these changes. If you have any questions about this transfer approval, please send all inquiries to: [companyownershipchanges@epa.gov](mailto:companyownershipchanges@epa.gov).

Sincerely,



Kimberly Smith, Chief  
Information Services Branch  
Information Technology & Resource Management Div. (7504P)

cc: DR. JOHN CUMMINGS  
FMC CORPORATION  
2929 WALNUT STREET  
PHILADELPHIA, PA 19104-

**RE: L\_279\_RAD\_42750\_08\_14\_2020**

CHECKLIST FOR TRANSFER of REGISTRATION and DATA			
Transferor: FMC Corporation		Co. #: 279	
Transferee: ALBAUGH, LLC		Co. #: 42750	
Transfer Type: Registration and Data		Date: LTR: 08/05/2020 PP: 08/06/2020	
CHECK	REQUIREMENTS		
✓	Entry into Log Book	✓	Company info checked in OPPIN and printed
✓	Products verified in OPPIN (active/cancelled/suspended, etc.)	✓	Maintenance Fee Records checked (active/cancelled/SLN/fee paid)
Ensure That the Package Contains the Following:		COMMENTS	
✓	(1) XFER Agreement Has <b>Original Signatures, Date Signed, Names and Titles</b> of signatories from both parties?		
✓	(2) Name, Address & State of Incorporation of Transferor (& Co. #)	DE	
✓	(3) Name, Address & State of Incorporation of Transferee (& Co. #.)	IA	
✓	(4) Name(s) / List & EPA Registration No.(s) of the product(s) being transferred.	279-3580 and 2 MRIDs (No Exclusive Use)	
✓	(5) Statement that the Transferor transfers to the Transferee all right, title, and interest in the EPA registration(s) and data listed in the document.		
✓	(6) Statement that the transferred registration(s) shall not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise. The reg'n(s) shall not revert to the Transferor unless a new transfer agreem't is submitted to & approved by the Agency		
✓	(7) Description of the general nature of the underlying transaction, e.g., merger spin-off, bankruptcy (no financial info. need be disclosed)	SALE	
✓	(8) Statement that the Transferor and Transferee understand that any false statement may be punishable under law (18 USC1001)		
✓	(9) An acknowledgement by Transferee that its rights & duties concerning the reg'n under FIFRA and 40 CFR, Ch. 1 will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved.		
✓	<b>DATA</b> Data transfers must also include: (1) Name of the study; (2) Is study exclusive use (if so, when does exclusive use expire); (3) Name of person or lab that <u>conducted</u> the study; (4) Date study submitted to EPA; (5) MRID or other EPA administrative number.		
	(10) <b>Notarized</b> Affirmation Statement from Transferor <b>Affirming</b> that:		
✓	(A) The person signing the transfer agreement is authorized by the registrant (and/or original data submitter) to bind the Transferor.		
✓	(B) No court order prohibits the transfer, & that any required court approvals have been obtained.		
✓	(C) The transfer is authorized under all relevant Federal, State & local laws, & all relevant corporate charters, bylaws, partnerships, or other agreements.		
	<b>Note:</b> It is preferable that the Affirmation Statement be signed by someone <u>other</u> than the person signing the transfer agreement.		
✓	Look in OPPIN for Next Registration Number for Transferee	42750-389	
LV	OPPIN Work (Actual Transfer)		
LV	Generate Letter and Give to Branch Chief for Signature		
Copies of Letter Made and Distributed/Mailed			
LV	Copy mailed to Transferor	LV	Sent copies to RD, JFR & PM21
LV	Copy mailed to Transferee	LV	Copy placed In Transfer File
LV	Updated Log Book	Completed: <i>Louis Vaughn</i> Date: 08/14/2020	
Comments: RAD XFER. received 08/06/2020. OLD cover letter. Using OLD language. - LWV			

## Vaughn, Louis

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**From:** Vaughn, Louis  
**Sent:** Monday, August 17, 2020 5:46 PM  
**To:** E Bockrath  
**Subject:** FW: Completed Transfer - 279\_RAD\_42750  
**Attachments:** Appendix\_279\_RAD\_42750\_08\_14\_2020.pdf; L\_279\_RAD\_42750\_08\_14\_2020.pdf

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**From:** Vaughn, Louis  
**Sent:** Monday, August 17, 2020 5:40 PM  
**To:** Nathan Ehresman [US] <nathane@albaughllc.com>; >  
**Cc:** John.Cummings@fmc.com  
**Subject:** Completed Transfer - 279\_RAD\_42750

Attached, is the requested Product Registration and Data Transfer from from **FMC Corporation (279)** to **Albaugh, LLC (42750)**. As a result of a sale, you transferred one product registration and 2 MRIDs (No Exclusive Use).

Product **279-3580** is now product **42750-389**

For Change of Address or Agent:

<http://www2.epa.gov/pesticide-registration/pesticide-registration-manual-how-report-changes-company-name-or-address>

For Product Transfers, Data Transfers or Company Numbers Transfers:

<http://www2.epa.gov/pesticide-registration/pesticide-registration-manual-chapter-16-transfer-product-registrations-and>

For Other Information: <http://www2.epa.gov/pesticide-registration/pesticide-registration-manual>

Louis Vaughn, MS  
Information Management Specialist  
U.S. Environmental Protection Agency  
OCSPP/OPP/ITRMD/ISB  
[vaughn.louis@epa.gov](mailto:vaughn.louis@epa.gov)

## Vaughn, Louis

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**From:** E Bockrath <EDWARD.BOCKRATH@fmc.com>  
**Sent:** Wednesday, August 05, 2020 7:45 AM  
**To:** companyownershipchanges  
**Cc:** Adams, Teretha; Djapao, Banza; E Bockrath  
**Subject:** 279\_RAD\_42750 - Transfer from FMC to Albaugh  
**Attachments:** 279-3580 20200805A (FMC-Albaugh Transfer Agreement).pdf

To whom it may concern,

This letter is to serve as notification that FMC Corporation ("FMC") wishes to transfer the product registration "Koverall fungicide" – EPA Reg. No. 279-3580, identified in the enclosed Transfer Agreement, to Albaugh, LLC - EPA Company Number 42750.

As stated in the attached signed and notarized transfer agreement, FMC hereby requests that the registration be transferred to the following:

Albaugh, LLC (EPA Company Registration Number: 42750)  
1525 NE 36th Street,  
Ankeny, Iowa, 50021

This transfer agreement is limited to "Koverall fungicide" – EPA Reg. No. 279-3580, listed in the Transfer Agreement and the data cited in Appendix A.

In conjunction with the transfer of the listed registration, FMC and Albaugh, LLC respectfully request the following:

That, in accordance with 40 CFR 152.130(c) and consistent with recent Agency guidance on new and/or amended labeling, Albaugh LLC may distribute or sell these products under the previously approved labeling for 18 months from the date of the approval of the registration transfers. After those 18 months, Albaugh LLC may only distribute or sell these products if they bear new revised labeling or subsequently approved labeling which includes the Albaugh EPA Registration Number and Albaugh product name. ("To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3).

If you have any questions, comments or need additional information, then please contact me at (302) 318-9484 or [edward.bockrath@fmc.com](mailto:edward.bockrath@fmc.com).

Thank you and best regards,  
Edward Bockrath

**Edward Bockrath**  
Product Registration Manager  
US Registration & Regulatory Affairs  
Stine Research Center  
Newark, DE, 19711  
[edward.bockrath@fmc.com](mailto:edward.bockrath@fmc.com)  
(302) 318-9484  
Ag.FMC.com



ADVANCING CHEMISTRY TO ADVANCE AGRICULTURE

**From:** Djapao, Banza <Djapao.Banza@epa.gov>  
**Sent:** Tuesday, August 4, 2020 5:20 PM  
**To:** E Bockrath <EDWARD.BOCKRATH@fmc.com>  
**Cc:** Adams, Teretha <Adams.Teretha@epa.gov>  
**Subject:** [Ext]CDX\_2020\_008179 & CDX\_2020\_008177 - Transfer of Registration and Cited Data

**WARNING: Do not click links or open attachments unless you recognize the source of the email and know the contents are safe.**

Dear registrant,

Your two submissions will be rejected, the cdx portal does not accept transfer of registration.  
We are not accepting paper submissions, send your requests to the email address below:  
I included the link below for more information

1 Link

<https://www.epa.gov/pesticide-registration/pesticide-registration-manual-chapter-16-transfer-product-registrations-and>.

2 Email address:

[companyownershipchanges@epa.gov](mailto:companyownershipchanges@epa.gov)

Thanks,

Banza Djapao  
Information Services Branch  
Information Technology & Resources Management Division  
(703)305-7269  
Cubicle S-4910N

Click [here](#) to report this email as spam.



**FMC Corporation**  
2929 Walnut Street  
Philadelphia, PA 19104  
USA

215.299.6000  
fmc.com

**ACTION: Transfer of Registration**

**FEE CATEGORY: Not Applicable**

**REGISTRATION FEE: Not Applicable**

**E-mail Contact: [edward.bockrath@fmc.com](mailto:edward.bockrath@fmc.com)**

August 5, 2020

c/o Document Processing Desk- (XFER)  
Office of Pesticide Programs, (7504P)  
U.S. Environmental Protection Agency  
One Potomac Yard (Room S4900)  
2777 S. Crystal Drive  
Arlington, VA 22202

**SUBJECT:     Transfer of Registration and Cited Data from FMC Corporation  
                  (Company Number 279) to Albaugh, LLC (Company Number 42750)**

This letter is to serve as notification that FMC Corporation ("FMC") wishes to transfer the product registration "Koverall fungicide" – EPA Reg. No. 279-3580, identified in the enclosed Transfer Agreement, to Albaugh, LLC - EPA Company Number 42750.

As stated in the attached signed and notarized transfer agreement, FMC hereby requests that the registration be transferred to the following:

Albaugh, LLC (EPA Company Registration Number: 42750)  
1525 NE 36th Street,  
Ankeny, Iowa, 50021

This transfer agreement is limited to "Koverall fungicide" – EPA Reg. No. 279-3580, listed in the Transfer Agreement and the data cited in Appendix A.

In conjunction with the transfer of the listed registration, FMC and Albaugh, LLC respectfully request the following:

That, in accordance with 40 CFR 152.130(c) and consistent with recent Agency guidance on new and/or amended labeling, Albaugh LLC may distribute or sell these products under the previously approved labeling for 18 months from the date of the approval of the registration transfers. After those 18 months, Albaugh LLC may only distribute or sell these products if they bear new revised labeling or subsequently approved labeling which includes the Albaugh EPA Registration Number and Albaugh product name. ("To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3).



Registration Transfer  
FMC → Albaugh, LLC  
August 5, 2020  
Page 2 of 2

If you have any questions, comments or need additional information, then please contact me at (302) 318-9484 or [edward.bockrath@fmc.com](mailto:edward.bockrath@fmc.com).

Thank you and kind regards,



**Edward Bockrath**

Product Registration Manager  
US Registration & Regulatory Affairs  
Stine Research Center  
Newark, DE, 19711  
[edward.bockrath@fmc.com](mailto:edward.bockrath@fmc.com)  
(302) 318-9484  
Ag.FMC.com



ADVANCING CHEMISTRY TO ADVANCE AGRICULTURE

cc: John G. Cummings (FMC Corporation)  
Nathan P. Ehresman (Albaugh, LLC)

(Attachments)

## TRANSFER AGREEMENT

(Used for transfer of Registrations, Data or Company Ownership)

Reference: 40 CFR § 152.135 and 40 CFR § 152.98

Notification is made this 31<sup>st</sup> day of July, 2020, by and between the TRANSFEROR FMC Corporation and the TRANSFEREE Albaugh, LLC. In consideration of mutual covenants and agreements made and/or for good and valuable consideration, the parties agree as follows:

1. **PARTIES**. For the purpose of this Agreement, "Parties" shall mean:

a) **TRANSFEROR** (Current Registrant and/or data submitter):

EPA Company Number: 279

Name: FMC Corporation


Address: 2929 Walnut Street

City: Philadelphia State: PA Zip: 19104

State of Incorporation: Delaware

Name of Authorized Representative: John Cummings

Title of Authorized Representative: Registration & Regulatory Affairs Director

Original Signature of Authorized Representative: 

Date Signed: 7/31/2020

b) **TRANSFeree** (Company Receiving Registrations and/or data):

EPA Company Number: 42750

Name: Albaugh, LLC

Address: 1525 NE 36<sup>th</sup> Street

City: Ankeny State: Iowa Zip: 50021

State of Incorporation: Iowa

Name of Authorized Representative: Nathan P. Ehresman

Title of Authorized Representative: Regulatory Director, North America

Original Signature of Authorized Representative: 

Date Signed: 7/15/2020

2. **REGISTRATION**. For the purpose of this Agreement, "Registration" shall mean the following EPA registration number and product name:

Product Name	EPA Registration Number
Koverall Fungicide	279-3580

3. **REGISTRATION ASSIGNMENT**. Transferor does hereby irrevocably transfer to the Transferee all right, title and interest in the EPA registration listed in this document.

4. **DATA ASSIGNMENT**. Transferor does hereby irrevocably transfer to the Transferee all right, title and interest in the items of data named herein. Data that are specifically part of this ASSIGNMENT are listed in APPENDIX A.

(SEE APPENDIX A)

5. **WARRANTY OF TITLE**. Transferor warrants that it is the lawful owner of the property hereby conveyed and that such property (registrations and/or data) shall not serve as collateral or otherwise secure any loan or other payment arrangement or executory promise, and that the registration(s) shall not revert to the transferor unless a new transfer agreement is submitted to and approved by the Agency.

6. **REASON FOR TRANSFER**. Transferor sold products to Transferee.

7. **FALSE STATEMENTS**. The Transferor and Transferee understand that any false statement regarding these documents may be punishable under 18 U.S.C. 1001.

8. **TRANSFeree ACKNOWLEDGEMENT**. Transferee acknowledges that his rights and duties concerning registration under FIFRA and Title 40, Chapter 1 of the Code of Federal Regulations will be deemed by EPA to be the same as those of the Transferor at the time the transfer is approved.

## TRANSFEROR AFFIRMATION STATEMENT

Reference: 40 CFR § 152.135(c) and 40 CFR § 152.98(b)

The TRANSFEROR, FMC Corporation, hereby affirms that:

- (1) The person signing the transfer agreement is authorized by the registrant and/or original data submitter to bind the transferor;
- (2) No court order prohibits the transfer, and any required court approvals (if any) have been obtained; and
- (3) The transfer is authorized under all relevant Federal, State and local laws and all relevant corporate charters, bylaws, partnerships, or other agreements.


  
\_\_\_\_\_  
Authorized Representative

Date: 7/31/2020

John Cummings  
Registration & Regulatory Affairs Director  
FMC Corporation

On this, the 31 day of July, 2020, before me, a notary public, the undersigned officer personally appeared, John Cummings, who acknowledged himself to be the Registration & Regulatory Affairs Director of FMC, a corporation, and that he, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as the Registration & Regulatory Affairs Director.

IN WITNESS HEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My commission expires: 2/26/2023

COMMONWEALTH OF PENNSYLVANIA - NOTARY SEAL Susan Zagorski, Notary Public Philadelphia County My Commission Expires 02/26/2023 Commission Number 1347152
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## APPENDIX A

Reference: 40 CFR § 152.98 (a)(3)

<b>MRID or other Identifying Administrative Number</b>	<b>Name of Study</b>	<b>Name of Person or Lab that Conducted the Study</b>	<b>Date the Study was Submitted to EPA</b>	<b>Is Exclusive Use Claimed (Y or N)</b>	<b>If Yes, then Date Period of Exclusive Use Ends</b>
48279401	Product Chemistry - Koverall Fungicide: Group A - Product Identity, Composition, and Analysis.	Cheminova, Inc.	10/29/2010	N	NA
48409401	Product Chemistry - KOVERALL Fungicide: Group B - Physical/Chemical Properties. Project Number: CH/401/2008, 3830/04, 3827/04.	Cheminova, Inc.	3/4/2011	N	NA

**Summary Information For  
Product Registration - Section 3  
279-3580**

**Registration #:** 279-3580  
**Registration Name:** [KOVERALL FUNGICIDE](#)  
**Company:** [279 - FMC CORPORATION](#)  
**Current Status:** [Active - Conditionally Registered \(30-Sep-2011\)](#)  
**Restricted Use:** No

**Active Ingredients**

PC Code	CAS #	Ingredient Name	Percent Active
<a href="#">014504</a>	8018-01-7	Mancozeb	75
Total Rows: 1			

**Organization:** RD / FB  
**Team:** Registration Division, Risk Management Team 21  
Johnson, Hope 703-305-5410  
**Child Resistant Package:** Product Involve CRP? N/A  
CRP Status? N/A  
CRP Certificate Acceptable? N/A  
CRP Certificate Decision Date: N/A  
Withdraw Date (if voluntary): N/A  
**Signal Word:** Caution  
**Physical Form:** Emulsifiable Concentrate  
Water Dispersible Granule  
**Pesticide Category:** FUNGICIDE  
**Label Image:** [View Label Image](#)

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**Inert Ingredients**

**Study Information For**  
***Product Registration - Section 3***  
**279-3580**

<b>MRID</b>	<b>Citation</b>	<b>Receipt Date</b>
48279400	Cheminova, Inc. (2010) Submission of Product Chemistry Data in Support of the Application for Registration of KOVERALL Fungicide. Transmittal of 1 Study.	29-Oct-2010
48279401	Tackema, C. (2010) Product Chemistry - Koverall Fungicide: Group A - Product Identity, Composition, and Analysis. Unpublished study prepared by Cheminova, Inc. 46 p.	29-Oct-2010
48391700		17-Feb-2011
48409400	Cheminova, Inc. (2011) Submission of Product Chemistry Data in Support of the Application for Registration of Koverall Fungicide. Transmittal of 1 Study.	04-Mar-2011
48409401	Cheminova, Inc. (2011) Product Chemistry - KOVERALL Fungicide: Group B - Physical/Chemical Properties. Project Number: CH/401/2008, 3830/04, 3827/04. Unpublished study prepared by Cheminova, Inc. 252 p.	04-Mar-2011
Total Rows: 5		



XOR

## Summary Information For *Company 279, FMC CORPORATION*

**Company No:** 279  
**Company Name:** FMC CORPORATION  
**Division Name:**  
**Office Name:**  
**Branch Name:**  
**Contact Name:** DR. JOHN CUMMINGS  
**Contact Phone:** (215) 299-6532  
**Agent Name:**  
**Official Address:** 2929 WALNUT STREET  
PHILADELPHIA, Pennsylvania 19104  
UNITED STATES  
**Date of Current Update:** 26-Jun-2020  
**Reason for Current Update:** Letter from Company



XEE

### Summary Information For *Company 42750, ALBAUGH, LLC*

**Company No:** 42750  
**Company Name:** ALBAUGH, LLC  
**Division Name:**  
**Office Name:**  
**Branch Name:**  
**Agent Name:** ALBAUGH, LLC  
**Agent Contact:** MR. NATHAN EHRESMAN  
**Agent Phone:** (919) 740-9895  
**Official Address:** 2906D N. PATTERSON ST., PO Box 2127  
VALDOSTA, Georgia 316042127  
UNITED STATES  
**Date of Current Update:** 12-Aug-2020  
**Reason for Current Update:** Other

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